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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,651	02/20/2002	Francesco A. Campisano	END920010057US1	8459
30743	7590	11/15/2006	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			CZEKAJ, DAVID J	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION*****Response to Arguments***

On pages 5-8 applicant argues that Simmons fails to disclose the frame switch point determined in accordance with a signal corresponding to completion of decoding of a previous frame and synchronization with a bottom border of a scaled image or a frame switch point as claimed. While the applicant's points are understood, the examiner respectfully disagrees. See for example Simmons column 5, lines 21-23. There Simmons discloses the use of a FS (frame synchronization pattern). Simmons further discloses in column 5, lines 46-50 that upon detection of the FS pattern, the decoder decodes a complete frame of data. Once the decoding of the frame is complete the receiver reverts back to the FS search state. The examiner notes that since a full frame is decoded upon detection of the FS pattern, the FS pattern indicates point where different frames occur (frames are switched). Further the examiner notes that the synchronization limitation is written in the alternative and the examiner is interpreting the limitation to read synchronizing said motion video decoder for decoding compressed image data in accordance with said frame switch point, which as shown above, is the FS pattern. Therefore the rejection has been maintained.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons et al. (7006588), (hereinafter referred to as "Simmons").

Regarding claim 1, Simmons discloses an apparatus that relates to synchronization detection (Simmons: column 1, lines 17-19). This apparatus comprises "determining a frame switch point in accordance with a signal corresponding to the completion of decoding of a previous frame" (Simmons: column 5, lines 21-24, column 5, lines 46-50, wherein the frame switch point is the FS pattern) and "synchronizing the video decoder for decoding image data in accordance with the frame switch point" (Simmons: column 5, lines 46-50, wherein the decoder decodes one frame of image data upon the detection of the FS pattern). Although Simmons fails to use the term "frame switch point", Simmons does disclose a FS pattern which is shown in figures 4-5 to indicate the switch between frames. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the FS pattern in order to obtain an apparatus that correctly identifies the transition between images or frames.

3. Claims 2-5, 7-12, and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons et al. (7006588), (hereinafter referred to as "Simmons") in view of Cheney et al. (5668599), (hereinafter referred to as "Cheney").

Regarding claims 2 and 9, note the examiners rejection for claim 1, and in addition, claims 2 and 9 differ from claim 1 in that claims 2 and 9 further require a spill buffer and controlling decoder latency according to the spill buffer. Cheney

teaches that a spill buffer is needed to minimize memory requirements when decoding B frames (Cheney: column 14, lines 16-27). Cheney further discloses "altering decoder latency in response to the spill buffer" (Cheney: column 14, lines 36-44, wherein altering the latency is the process of holding back the decoding). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Sazzad and add the spill buffer taught by Cheney in order to obtain a more cost efficient apparatus by minimizing memory requirements.

Regarding claims 3 and 10, Cheney discloses "reconfiguring a frame buffer to accommodate an increased latency of motion video data scaled in the decoding path" (Cheney: column 14, lines 25-44, wherein reconfiguring the frame buffer is the process of detecting the frame buffer size and switching between the frame and spill buffers as needed).

Regarding claims 4-5 and 11-12, Cheney discloses "continuously scaling video from the motion video data by interpolation" (Cheney: figure 5, column 9, lines 66-67 – column 10, lines 1-5, wherein the interpolation is performed by the motion compensation unit).

Regarding claims 7-8 and 14-15, Cheney discloses "the spill buffer has a capacity equal to or less than one field" Cheney: figure 15, column 15, lines 1-31).

***Allowable Subject Matter***

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4. Claims 6 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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DJC

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